

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER JADOTTE,

Plaintiff,

-against-

ANGEL L. ROSARIO, RYDER SYSTEMS, INC.,  
RYDER TRUCK RENTAL, INC., RYDER LOGISTICS  
& TRANSPORTATION SOLUTIONS WORLDWIDE  
and RYDER INTEGRATED LOGISTICS, INC. ,

Defendants.

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C O U N S E L O R ( S ) :

PLEASE TAKE NOTICE, that the defendants, ANGEL L. ROSARIO, RYDER SYSTEMS, INC., RYDER TRUCK RENTAL, INC., RYDER LOGISTICS & TRANSPORTATION SOLUTIONS WORLDWIDE and RYDER INTEGRATED LOGISTICS, INC., by their attorneys, CONNORS & CONNORS, P.C., answering the Verified Complaint herein, states as follows:

1. Denies any knowledge or information thereof sufficient to form a belief as to the allegations of the complaint set forth in paragraphs 1, 15, 16, 17, 18, 19.
2. Admits each and every allegation of the complaint set forth in paragraphs 2, 4, 7, 13, 24, 25, 26, 27, 36, 37, 38, 40, 41, 42, 43.
3. Denies each and every allegation of the complaint set forth in paragraphs 3, 5, 6, 8, 9, 10, 11, 12, 14, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 39, 44, 45, 46, 47, 48, 49, 50, 51, 52,

53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65.

WHEREFORE, the answering defendant demands judgment dismissing the complaint on the plaintiff against this defendant, together with costs and disbursements of this action.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

That any injuries which may have been suffered by the plaintiff herein, were caused in whole or in part as the result of their own culpable conduct contributing thereto.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

Upon information and belief, plaintiff's economic loss, if any, as specified in the Federal Rules of Civil Procedure, was or will be replaced or indemnified, in whole or in part, from collateral sources, and these answering defendants are entitled to have the court consider the same in determining such special damages as provided in the Federal Rules of Civil Procedure.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

Plaintiff has not sustained a serious injury as defined in Section 5102(d) of the Insurance Law of the State of New York and therefore has not sustained economic loss greater than basic economic loss as defined in Section 5102(a)(2) of the Insurance Law of the State of New York.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

Upon information and belief, plaintiff's economic loss, if any, as specified in the Federal Rules of Civil Procedure, was or will be replaced or indemnified, in whole or in part, from collateral sources, and these answering defendants are entitled to have the court consider the same

in determining such special damages as provided in the Federal Rules of Civil Procedure.

Dated: Staten Island, New York  
June 19, 2007

By: \_\_\_\_\_  
JOHN P. CONNORS, JR., - 6514  
CONNORS & CONNORS, P.C.  
Attorneys for Defendants  
766 Castleton Avenue  
Staten Island, NY 10310  
(718) 442-1700  
File No.: DRT 23502

TO: PHILIP J. SPORN, ESQ.  
Attorney for Plaintiff  
600 Third Avenue  
New York, New York 10016

## CERTIFICATE OF SERVICE